

UNITED STATES DISTRICT COURT

for the

Eastern District of California

FILED

May 16, 2024

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America

v.

Garrett Scott Wheelen

Case No. 1:24-mj-00059-BAM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 1, 2024 in the county of Fresno in the
Eastern District of California, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. §§ 841(a)(1) and 841(b)
(1)(A)

Possession of 500 grams or more of methamphetamine with intent to
distribute

Max penalties:

- 10 year Min. to life imprisonment;
- \$10 Mil. fine;
- 5r-life supervised realease; and
- \$100 special fee.

This criminal complaint is based on these facts:

See affidavit of FBI SA Adam Yavner, attached hereto and incorporated herein

☒ Continued on the attached sheet.


Complainant's signature

Adam Yavner, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 5/15/24


Judge's signature

City and state:

Hon. Barbara A. McAuliffe

Printed name and title

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARRETT SCOTT WHEELLEN,

Defendant.

CASE NO.

AFFIDAVIT OF FBI SPECIAL AGENT ADAM
YAVNER

I, Adam Yavner, being sworn, depose and state the following:

I. INTRODUCTION

1. This affidavit is in support of a complaint and arrest warrant for Garrett Scott Wheelen with a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) – possession with intent to distribute 500 grams or more of methamphetamine. The information set forth in this affidavit is not intended to detail each and every fact and circumstance of the investigation or all the information known to me and other law enforcement investigators. Rather, this affidavit serves only to establish probable cause for the arrest of Wheelen.

II. AFFIANT'S BACKGROUND

2. I am a Federal Bureau of Investigation ("FBI") Special Agent assigned to the Sacramento Division, Fresno Resident Agency. I have been a Special Agent with the Federal Bureau of Investigation since 2019. I am a graduate of the FBI's Basic Field Training Program in Quantico, Virginia and am currently assigned to the FBI's Office in Fresno, California, where I am a member of the narcotics and violent crime squad. As part of my duties, I also investigate federal crimes committed at the Federal Correctional Institution ("FCI") Mendota, a correctional facility in Fresno, California.

3. Throughout my law enforcement career, I have attended trainings and conducted investigations relating to criminal street gangs, organized crime, violent crimes, firearms, controlled substances, fraud, and other areas of law enforcement. Prior to joining the FBI, I was United States Postal Inspector and New York City Police Officer.

4. The statements made in this affidavit are based on my involvement in this investigation, discussions with other law enforcement officers and personnel who are also involved in the investigation and review of their reports, and my training and experience. This affidavit is intended to show there is probable cause for the requested warrant. It does not include every fact I know about this investigation.

III. APPLICABLE LAW

5. Title 21, United States Code, Section 841(a)(1) prohibits any person knowingly or intentionally to manufacture, distribute, dispense, possess with intent to manufacture, distribute, or dispense a controlled substance. 21 U.S.C. § 841(a)(1).

IV. PROBABLE CAUSE

6. On May 1, 2024, Bureau of Prisons (“BOP”) staff at the Federal Correctional Institution Mendota, a federal correctional facility located in Fresno County, California, spotted Garrett Scott Wheelen walking near the northwestern end of the parking lot. Wheelen immediately raised the officers’ suspicion because he wore a green baseball cap, facemask, and black hoodie. A BOP officer approached Wheelen and shouted for him to stop moving but Wheelen ignored the commands. Wheelen then ran towards the facility’s recreation yard’s fence line.

7. Once by the fence, the officer saw Wheelen toss over four white packages into the recreation yard as the guard ran towards him. The facility’s security cameras also captured Wheelen by the fence as he tossed the packages into the recreation yard. See Figure 1.

Figure 1: Security Footage of Wheelen Throwing Packages into FCI Mendota’s Recreation Yard



1 8. Wheelen then immediately fled away from the facility with the officer chasing after him.
2 The officer radioed the facility, alerting them to the packages thrown into the yard and followed Wheelen
3 into a muddy area where Wheelen got stuck and was caught. The officer escorted Wheelen back to the
4 facility where he was identified. BOP staff also confirmed he was a former inmate at FCI Mendota.
5 Mendota Police Department officers arrested him a short time later.

6 9. FCI Mendota officers seized the four white packages Wheelen threw into the facility's
7 recreation yard. The packages contained a substance that tested positive for methamphetamine after using
8 a narcotic identification kit at the facility. Officers also discovered one of the packages contained 1.5
9 pounds of tobacco. In total, the packages Wheelen tossed over the fence into FCI Mendota contained
10 approximately 3 pounds and 3 ounces of methamphetamine. See Figure 2.

11 **Figure 2: Methamphetamine Wheelen Threw into FCI Mendota's Recreation Yard**



24 10. The inmates in the recreation yard were immediately told to leave the yard and were
25 searched. BOP staff did not find any contraband on the inmates. Officers also confirmed none of the
26 inmates went over to where the packages were thrown.
27
28

V. CONCLUSION

11. I believe the above facts set forth probable cause to believe that Garrett Scott Wheelen violated Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) – possession with intent to distribute 500 grams or more of methamphetamine. Therefore, I request that an arrest warrant be issued for Garrett Wheelen for this violation.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.


Adam Yavner
Special Agent, Federal Bureau of Investigation

This Affidavit was submitted to me by email/pdf and attested to me as true and accurate by telephone, consistent with Fed. R. Crim. P. 4.1, and 41(d)(3) on 5/15/24.


HON. BARBARA A. MCAULIFFE
United States Magistrate Judge

Reviewed as to form.

/s/ Cody S. Chapple
CODY S. CHAPPLE
Assistant U.S. Attorney